

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ENVIRONMENTAL TECTONICS CORP., :
Plaintiff, : CIVIL ACTION
v. :
SHOOK CONSTRUCTION COMPANY, : NO. 21-1977
Defendant. :

ORDER

AND NOW, this 16th day of November, 2021, upon consideration of Defendant's Motion to Dismiss or Transfer Venue (Doc. No. 21), Plaintiff's Response in Opposition to Defendant's Motion (Doc. No. 23), and Defendant's Reply thereto (Doc. No. 25), **IT IS HEREBY ORDERED** that Defendant's Motion is **DENIED**.¹

BY THE COURT:

/s/ Marilyn Heffley
MARILYN HEFFLEY
UNITED STATES MAGISTRATE JUDGE

¹ "In assessing a transfer motion, a court should not lightly disturb plaintiffs' choice of forum and should hold defendants to establishing a strong preponderance in favor of transfer. Ordinarily, there is a strong presumption in favor of the plaintiff's choice of forum, although where the plaintiff chooses a forum which is not his home forum, his choice should be given considerably less weight." Kielczynski v. Consolidated Rail Corp., 837 F. Supp. 687, 689 (E.D. Pa. 1993) (internal citations omitted). Here, Defendant has failed to overcome the deference awarded to Plaintiff's choice of its home forum. Accordingly, Defendant's Motion is denied.